

E-Filed 8/21/09

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA and
DAVID PALMER, Revenue Officer,

No. 5:08-CV-4823 JF (RS)

Plaintiffs,

v.

**ORDER EXCUSING ATTENDANCE
AT SETTLEMENT CONFERENCE**

KEVIN RYAN and NANCY RYAN,

Defendants.

_____/

TO ALL PARTIES AND COUNSEL OF RECORD:

By written requested dated August 18, 2009, plaintiff United States of America, by and through its counsel Thomas M. Newman, requested that the individual with full settlement authority be excused from personally appearing at the settlement conference in this case, scheduled for October 6, 2009. According to the United States, the individual with full settlement authority is Richard Ward, who serves as the Chief of the Civil Western Section of the Tax Division for the United States Department of Justice. No opposition was filed by any party, and the time for doing so has now expired.

Upon consideration of the Government's request, the Court finds good cause for excusing personal attendance. Therefore, Mr. Ward's absence will be excused, provided he remain available by telephone from 9:30 a.m. Pacific Daylight Time until further notice on October 6, 2009.

1 If the Court concludes that the absence of Mr. Ward is interfering with the settlement
2 conference, the Court may continue the settlement conference and may order personal attendance by
3 each party.

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6 IT IS SO ORDERED.

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8 Dated: 8/21/09



RICHARD SEEBORG
United States Magistrate Judge